



Rent Stabilization Board

**RENT STABILIZATION BOARD**  
**EVICITION / SECTION 8 / FORECLOSURE COMMITTEE MEETING**

**Tuesday, September 26, 2023 – 6:00 p.m.**

**Rent Stabilization Board Law Library – 2001 Center Street, 2<sup>nd</sup> floor, Berkeley, CA 94704**

**PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED IN A HYBRID MODEL WITH BOTH IN-PERSON ATTENDANCE AND VIRTUAL PARTICIPATION.**

For in-person attendees, face coverings or masks that cover both the nose and the mouth are encouraged. If you are feeling sick, please do not attend the meeting in person.

**To access this meeting remotely:** Join from a PC, Mac, iPad, iPhone, or Android device by clicking on this URL: <https://us06web.zoom.us/j/89456470957?pwd=Z8rlRuWs5dvur3T330SACQq4P6pLZX.1>. If you do not wish for your name to appear on the screen, then use the drop-down menu and click on "Rename" to rename yourself to be anonymous. To request to speak, use the "Raise Hand" icon by rolling over the bottom of the screen.

**To join by phone:** Dial 1-669-900-6833 and enter Webinar ID: 894 5647 0957 and Passcode: 007044. If you wish to comment during the public comment portion of the agenda, Press \*9 and wait to be recognized by the Committee Chair.

To submit an e-mail comment for the Committee's consideration and inclusion in the public record, email [oehlinger@cityofberkeley.info](mailto:oehlinger@cityofberkeley.info) with the Subject line in this format: "PUBLIC COMMENT ITEM FOR EVICTION/SECTION 8 COMMITTEE". Please observe a 150-word limit. Time limits on public comments will apply. Written comments will be entered into the public record. **Email comments must be submitted to the email address above by 4:00 p.m. on the day of the Committee meeting in order to be included.**

Please be mindful that this will be a public meeting and all rules of procedure and decorum apply for both in-person attendees and those participating by teleconference or videoconference.

This meeting will be conducted in accordance with Government Code Section 54953 and all current state and local requirements allowing public participation in meetings of legislative bodies. Any member of the public may attend this meeting. Questions regarding this matter may be addressed to DéSeana Williams, Executive Director of the Rent Board, at 510-981-7368 (981-RENT). The Committee may take action related to any subject listed on the Agenda.



**COMMUNICATION ACCESS INFORMATION:**

This meeting is being held in a wheelchair accessible location. To request disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services Specialist at (510) 981-6418 (voice) or (510) 981-6347 (TDD) at least three (3) business days before the meeting date.

Attendees at public meetings are reminded that other attendees may be sensitive to various scents, whether natural or manufactured, in products and materials. Please help the City respect these needs.



Rent Stabilization Board

**RENT STABILIZATION BOARD**  
**EVICTIION / SECTION 8 / FORECLOSURE COMMITTEE MEETING**

**Tuesday, September 26, 2023 – 6:00 p.m.**

**Rent Stabilization Board Law Library – 2001 Center Street, 2<sup>nd</sup> floor, Berkeley, CA 94704**

**AGENDA**

1. Roll call
2. Approval of the Agenda
3. Land Acknowledgment Statement: The Berkeley Rent Stabilization Board recognizes that the rental housing units we regulate are built on the territory of xučyun (Huchiun-(Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Cho-chen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's landlords and tenants have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley's incorporation in 1878 and since the Rent Stabilization Board's creation in 1980. As stewards of the laws regulating rental housing, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today.
4. Approval of Minutes of the July 18 meeting
5. Public Comment
6. Discussion and possible action regarding Measure AA Owner Move-in Eviction Report
7. Discussion and possible action regarding Ellis Act Withdrawal Eviction Report
8. Discussion regarding expiration of COVID-19 Eviction Moratorium
9. Discussion and possible action regarding future agenda items
10. Confirm next meeting date (Commissioners: please bring calendars to meeting)
11. Adjournment

**STAFF CONTACT: Ollie Ehlinger, Staff Attorney – (510) 981-4924**  
COMMITTEE: Stefan Elgstrand (Chair), Xavier Johnson, Ida Martinac, Nathan Mizell



Rent Stabilization Board

## **RENT STABILIZATION BOARD**

### **EVICITION / SECTION 8 / FORECLOSURE COMMITTEE MEETING**

**Tuesday, July 18, 2023 – 5:00 p.m.**

**Rent Stabilization Board Law Library – 2001 Center Street, 2<sup>nd</sup> floor, Berkeley**

#### **MINUTES – (*Unapproved*)**

1. Roll call: Ollie Ehlinger called Roll  
Members present: Elgstrand, Johnson, Martinac and Mizell.  
Staff present: O. Ehlinger
2. Land Acknowledgment Statement: The Land Acknowledgment Statement was played.
3. Approval of the Agenda: M/S/C (Johnson/Mizell) Motion to approve the agenda. Voice vote.  
Carried: 4-0-0-0.
4. Approval of Minutes of the April 11, 2023 meeting: M/S/C (Johnson/Martinac) Motion to approve the April 11, 2023 meeting minutes. Voice vote. Carried: 4-0-0-0.
5. Public Comment: No public comment.
6. Discussion and possible action regarding Distressed Property/Foreclosure Report: Committee Staffer Ehlinger gave an overview of the Distressed Property and Foreclosure Report, the Committee briefly discussed the report, and no action was taken.
7. Confirm next meeting date: Next meeting scheduled for September 12, 2023 at 6:00 p.m.
8. Adjournment: M/S/C (Mizell/Johnson) Motion to Adjourn. Voice vote. Carried: 4-0-0-0.  
Meeting adjourned at 5:20 p.m.

**STAFF CONTACT: Ollie Ehlinger, Staff Attorney – (510) 981-4924**

COMMITTEE: Stefan Elgstrand (Chair), Xavier Johnson, Ida Martinac, Nathan Mizell



Rent Stabilization Board

## MEMORANDUM

**DATE:** September 26, 2023

**TO:** Honorable Members of the Eviction/Section 8/Foreclosure Committee

**FROM:** Ollie Ehlinger, Staff Attorney  
Jen Fabish, Community Services Specialist

**SUBJECT:** Owner Move-in Eviction Tracking Report (July 2020– June 2023)

### BACKGROUND

#### I. Measure Y

In November 2000, in response to a rash of owner-move-in evictions, Berkeley voters adopted Measure Y as an amendment to the Rent Stabilization and Eviction for Good Cause Ordinance. Known as Berkeley’s owner move-in (OMI) law, Measure Y was subsequently codified under Berkeley Municipal Code (B.M.C.) Section 13.76.130A.9. It allowed property owners to evict tenants so that the owner or qualifying relatives could move into rental units, but placed restrictions and conditions on such evictions.<sup>1</sup> In addition, property owners who evicted tenant households that qualified as low income were required to pay \$4,500 relocation assistance prior to the tenants relinquishing possession of their rental units.

After an owner move-in eviction, the rental rate for the next tenancy established in the vacant unit cannot exceed the lawful apparent rent ceiling that applied to the former tenancy. (Rent Board Reg. 1016). Furthermore, the evicted tenant/s have the opportunity move back into the unit if they expressed an interest in doing so at the time of the eviction. (B.M.C. 13.76.130A9.o.)

<sup>1</sup>Under B.M.C. 13.76.130A.9b., an owner could evict a tenant so that the owner, or his/her spouse, child, or parent could occupancy in a rental unit. The owner or relative must have intended to live in the unit for 36 continuous months. Additionally, with few exceptions, property owners could not evict seniors or disabled tenants who have occupied their rental units for five years or more in buildings with four or more units.

## II. Measure AA

In November 2016, Berkeley voters passed Measure AA, which amended Measure Y. While many of above-referenced provisions of the owner move-in law remain the same, Measure AA implemented the following substantial changes:

- Property owners who evict tenants for owner move-in purposes must pay a standard relocation fee to all tenant households where at least one occupant has resided in the unit for more than one year.<sup>2</sup>
- Qualifying low-income, disabled, elderly, families with minor children, or those tenancies that began prior to 1999 are eligible to receive an additional relocation assistance payment.<sup>3</sup>
- Families with minor children are protected from being evicted during the school year.
- A City or Rent Board hearing examiner can adjudicate disputes regarding a tenant's entitlement to the additional relocation assistance.

Finally, as under Measure Y, Measure AA requires that “. . . at least twice annually, Rent Board Staff shall report to the Rent Board regarding the occupancy status of units possession of which has been recovered . . . within the prior thirty-six months.” (B.M.C. 13.76.130A9.r.)

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<sup>2</sup> The current standard relocation assistance amount is \$18,011, and may be increased each year by the percentage increase in the Consumer Price Index – All Urban Consumers in the San Francisco-Oakland-San Jose Region for the 12-month period ending June 30 of the prior year, as published by the United States Department of Labor.

<sup>3</sup> The current additional relocation assistance amount is \$6,003, which may also be adjusted each year as described above.

## **OMI REPORT: July 1, 2020-June 30, 2023**

### **COVID-19 SHELTER-IN-PLACE & EVICTION MORATORIUM**

Due to the COVID-19 pandemic, the City of Berkeley declared a local State of Emergency on March 3, 2020, which is still in effect. On March 16, 2020, the City of Berkeley Public Health Officer issued a Shelter-in-Place Order, and has subsequently issued a number of Health Orders aimed at reducing the spread of COVID-19. On March 17, 2020, the City of Berkeley passed the COVID-19 Emergency Response Ordinance that placed a moratorium on most evictions, including OMI evictions through April 2023. (B.M.C 13.110.) Starting May 1, 2023 and lasting until the COVID eviction moratorium's ultimate expiration on August 31, 2023, certain owner move-in evictions were permitted. During this final period of the moratorium, called the Transition Period, owners who owned only one rental property in Berkeley were permitted to initiate an owner move-in eviction. However, the Rent Board received no owner move-in requests during May and June 2023, when these were permitted.

### **STAFF MONITORING**

To ensure that tenant protections are not violated, Rent Board staff endeavor to contact occupants living in units that have received OMI eviction notices at least once every six months. Staff typically send a letter to select units notifying the occupant of the rent ceiling that would apply if they are a tenant rather than the owner or qualified family member (Attachment 1). Staff also research information in our databases and county ownership records to ensure that residency information is correct. Additionally, staff typically conduct focused site visits to try to ascertain residency when there is a question as to whether the owner or family member actually lives in the unit after an OMI notice is sent.

When staff receives information that a new tenant may be living in a rental unit following an OMI eviction, staff may contact the owner and/or tenant to ascertain the facts and circumstances pertaining to this occupancy. Staff will often provide counseling to both the owner and tenant when appropriate regarding the proper rent ceilings for that unit. Additionally, when appropriate, staff will attempt to contact tenant households displaced from a rental unit due to an OMI notice to explain the options, rights and remedies that may be available if it appears that the Ordinance has been violated.

### **OMI NOTICES AND RELOCATION ASSISTANCE PAYMENTS**

#### **Notices Filed with the Rent Stabilization Board**

Between July 1, 2020 and June 30, 2023, two OMI eviction notices were filed on the same unit at a fourplex property, both of which were rescinded.

<b>Unit designation</b>	<b>Number of notices sent</b>	<b>Unit currently tenant-occupied</b>
Single family home	0	0
Duplex		0
Triplex	0	0
Fourplex	2	2
Five units & more	0	0

Both notices were for owner-move-in (versus qualifying relative) evictions.

### **Relocation Assistance**

The only two OMI notices filed during the current reporting period were rescinded, so no relocation money was distributed.

<b>Claims for Additional Relocation Payment</b>	
<b>Grounds</b>	<b>Number of Claims</b>
Minor Child	0
Disabled	0
Low Income	0
60 or more years old	0
Long-term Tenant	0

### **NARRATIVE DATA FROM STAFF RESEARCH**

Single Family Homes – There were no OMI notices served on single-family homes during the current reporting period.

Duplexes – There were no OMI notices served on duplexes during the current reporting period.

Triplexes – There were no OMI notices served on triplex properties during the current reporting period.

Fourplexes – Two notices were served on the same unit during the current reporting period. Both were rescinded due to the local eviction moratorium, and the unit appears to remain tenant-occupied.

Five or more units – There were no OMI notices served on properties with five or more units during the current reporting period.

### **OWNERSHIP HISTORY PRIOR TO OMI FILING**

Previously, the committee requested data showing how long a landlord owned the property prior to filing an OMI notice.<sup>4</sup>

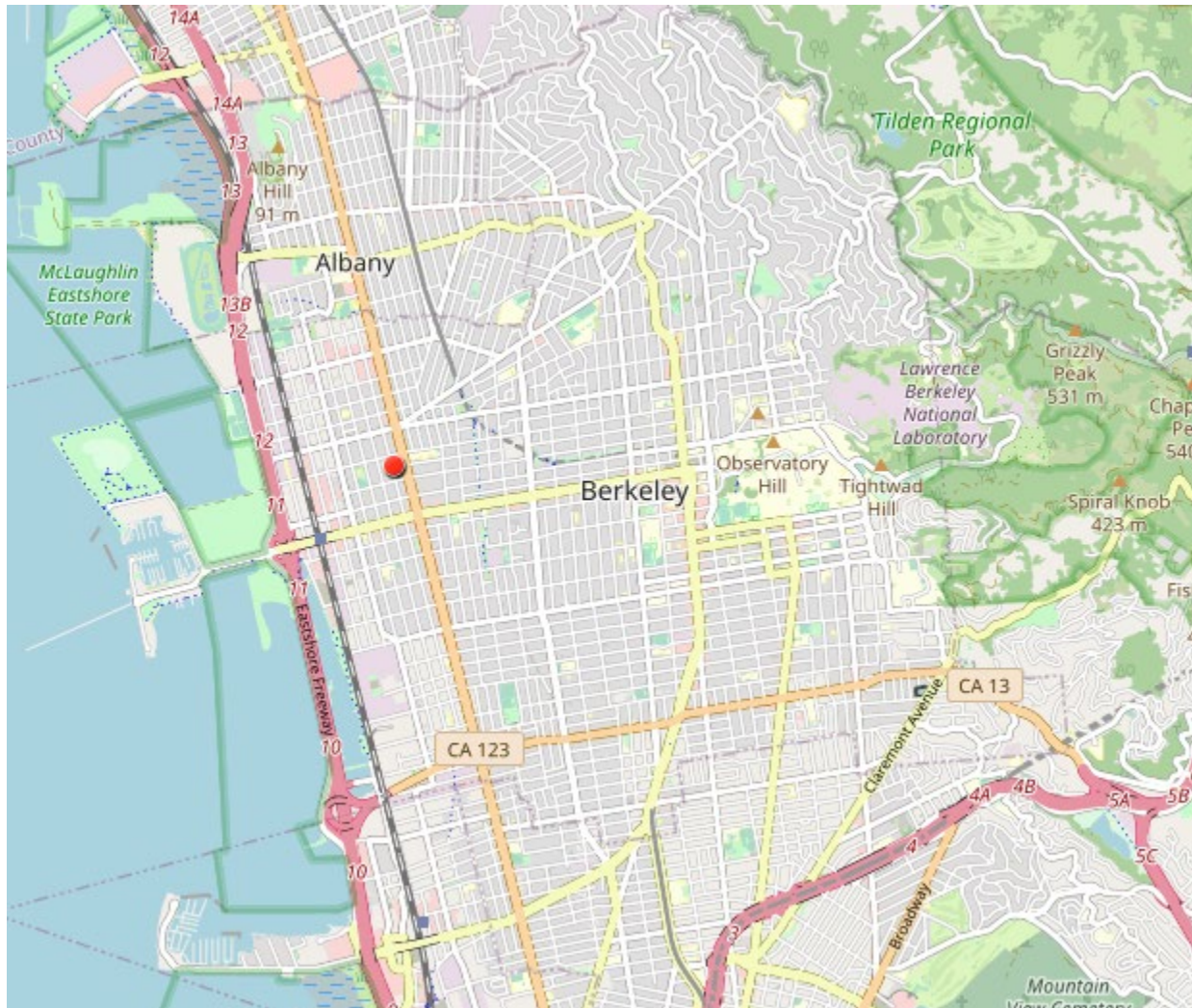
<b>Ownership Prior to Notice</b>	<b>Number of Properties</b>
less than 1 year	2
Between 1 and 2 years	0
2 to 5 years	0
5 to 10 years	0
More than 10 years	0

<sup>4</sup> When the data includes title transfers, we used the time between the transfer date and the notice of eviction.

## **LOCATION OF OMI PROPERTIES**

### **General Distribution**

The map below shows the general distribution of OMI notices for the current reporting period. Note: Both notices were served on the same address, so there is one data point rather than two.



#### **OMI Notices Location Map**

January 2020 – December 2022

● Owner Notice



### Geographic Location and Market Area

The table below ordinarily shows the geographic location and market area of properties that received an OMI Notice in the last six months of the current reporting period. Berkeley has been under a local eviction moratorium since March of 2020, and there were no new notices filed in the last six months of the current reporting period. Attachment 2 shows the geographic location and market area for all properties subject to OMI notices during the current reporting period.

Date filed	Street	Market Area
N/A	N/A	N/A

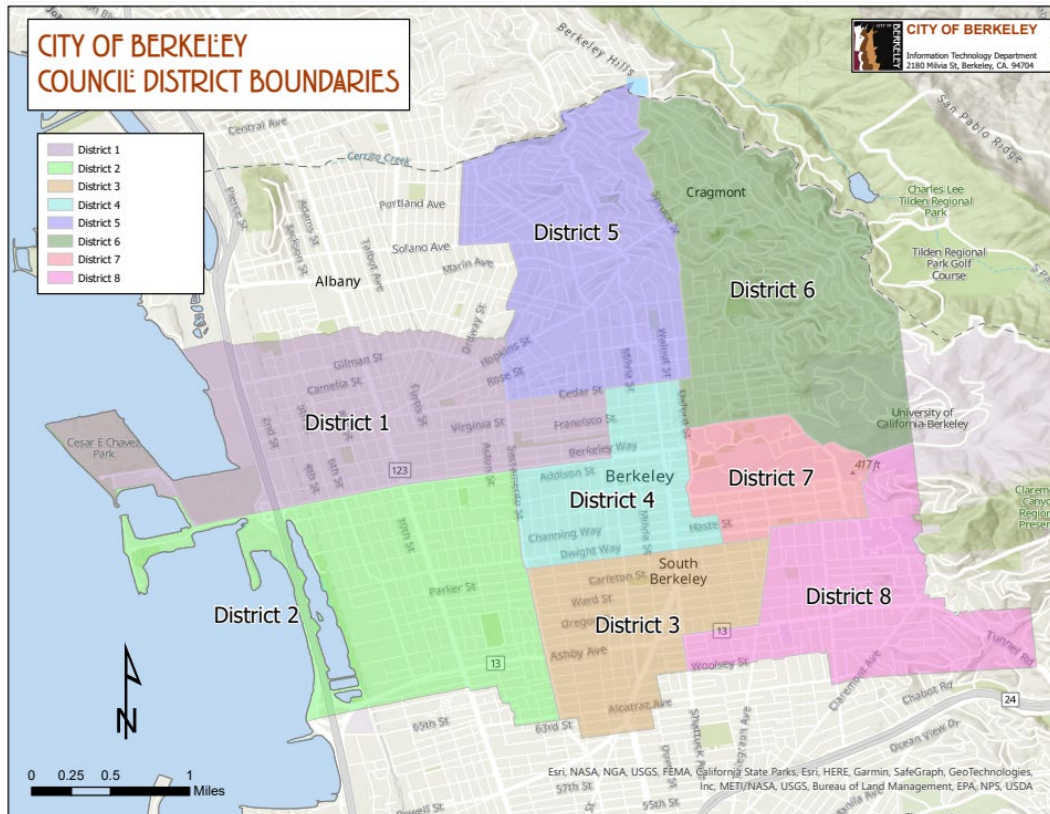
City of Berkeley Census Tract Map & Market Areas



### Number of OMI Notices by Council District

At its April 13, 2017 meeting, the Committee requested information about the number of notices served in each City Council District. The table below summarizes this information for the current reporting period:

Council District	Number of Total Notices	Number of Notices, Last Six Months of Reporting Period
1	2	0
2	0	0
3	0	0
4	0	0
5	0	0
6	0	0
7	0	0
8	0	0



## CONCLUSION

During this reporting period (July 1, 2020-June 30, 2023), the Board received a total of two OMI eviction notices. During the initial three-year monitoring period (December 2000 – December 2003), the Board received 110 eviction notices. Historically, after the passage of Measure Y, the number of evictions reported for each three-year period was significantly less than the initial period. This trend can be seen in Attachment 3, which shows, in six-month increments, the number of OMI eviction notices the Board has received since September 2000. The first reporting period in the table reflects only four months (September-December 2000), but during this time, 47 of the 56 evictions occurred during the three months prior to the adoption of Measure Y. While the Board did not track the number of OMI notices received prior to September 2000, it has been reported that the number of notices issued during the period from December 1997 to December 2000 was similar to or greater than the four-month period from September to December 2000, before Measure Y became law.

Although the implementation of Measure Y reduced the displacement of long-term tenants and required some relocation assistance for the most vulnerable displaced tenants, as housing prices and rents increased dramatically in recent years, so did the number of OMI evictions. The number of OMI evictions started to pick up in early-2014 (e.g., there were 19 OMI notices filed from January – June 2014). Between 2014 and 2016, there were 78 notices filed.

In November 2016, Berkeley voters passed Measure AA, which requires a standard relocation

payment to all households and an additional payment if a member of the evicted household is elderly, disabled, a long-term tenant, low income, or if there is a minor child in the household.

The City's COVID-19 Emergency Response Ordinance, passed in March 2020, placed a moratorium on evictions, including OMI evictions, and remains in place as of the date of this report, with the exception for owner move ins during the Transition Period noted above. Two notices were filed in 2021 despite the moratorium and were subsequently rescinded. No new notices were filed during the last six months of the current reporting period.

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**Attachment 1:** Sample of letter sent to select rental units that received an OMI eviction notice for the period of July 2019 – June 2022. For the current period of July 2020 – June 2023, two notices were filed on the same unit and were rescinded. Rent Board data indicates that the unit is still occupied by the tenant who received the notices, so a letter was not sent.

**Attachment 2:** Table reflecting geographic location and market area of properties subject to OMI notices for the period of July 2020 – June 2023.

**Attachment 3:** Table of OMI notices filed with the Rent Board for the period of September 2000 through June 2023.

## ATTACHMENT 1

### Sample of Letter Typically Sent to Select Units that Received OMI Notices



Rent Stabilization Board

September 6, 2022

Current Occupant/

Berkeley, CA, 94708

**RE: Owner Move-in eviction at**

Dear Occupant:

Our records indicate that a prior tenant in your unit was evicted so that the unit could be occupied by the owner or a close relative of the owner. Berkeley Municipal Code section 13.76.130.A(9)(p) requires the Rent Board to monitor your unit for three years to ensure that the unit is, in fact, occupied by the owner or a relative of the owner. Therefore, you will receive a letter like this once every six months during this three-year period. If you are the owner or a *non-rent* paying parent, spouse, domestic partner, or child of the owner, it is not necessary for you to respond to this letter.

If you are not the owner and are paying rent, your rent should not exceed:

**\$3087.79**

If you are paying rent in excess of this amount, you should contact me at (510) 981-4924. Also, Rent Board Counselors are available to explain your rights and options, including the procedure for recovering any rent overcharges you have paid. An explanation of your rights may also be found on the Rent Board's web site: [rentboard.berkeleyca.gov](http://rentboard.berkeleyca.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Ollie Ehlinger". The signature is fluid and cursive, written over a light gray background.

Ollie Ehlinger  
Staff Attorney

## **ATTACHMENT 2**

### **Geographic Location and Market Area of Properties Subject to OMI Notices**

<b>Date filed</b>	<b>Street</b>	<b>Market Area</b>
8/17/2021	1725 10 <sup>th</sup> St.	West Berkeley (Area 4)
10/8/2021	1725 10 <sup>th</sup> St.	West Berkeley (Area 4)

**ATTACHMENT 3**

**OMI Eviction Notices Filed With Berkeley Rent Board**

<b>Date of Eviction Notice</b>	<b>Number of Notices Received</b>
September – December 2000 *(only four months)	56
January – June 2001	32
July – December 2001	21
January – June 2002	17
July – December 2002	9
January – June 2003	13
July – December 2003	10
January – June 2004	14
July – December 2004	5
January – June 2005	16
July – December 2005	6
January – June 2006	10
July – December 2006	1
January – June 2007	7
July – December 2007	2
January – June 2008	1
July – December 2008	7
January – June 2009	7
July – December 2009	7
January – June 2010	6
July – December 2010	3
January – June 2011	6
July – December 2011	2
January – June 2012	5
July – December 2012	5
January – June 2013	10
July – December 2013	3
January-June 2014	19
July – December 2014	8
January – June 2015	16
July – December 2015	10

January- June 2016	17
July-December 2016	8
January-June 2017	15
July-December 2017	4
January – June 2018	6
July-December 2018	3
January-June 2019	12
July – December 2019	2
January – June 2020*	0
July – December 2020*	0
January – June 2021*	0
July – December 2021**	2
January – June 2022*	0
July – December 2022*	0
January-June 2023***	0
<b>Total Notices Filed</b>	<b>403</b>

\* Due to the COVID-19 pandemic, on March 17, 2020, the City of Berkeley passed an Urgency Ordinance placing a moratorium on evictions in most cases, including OMI evictions. As of the end of the current reporting period (December 31, 2022), the moratorium remained in place.

\*\*Two notices were served on the same property during this period despite the eviction moratorium. They were rescinded.

\*\*\* From May 1, 2023 through August 31, 2023, the Berkeley COVID-19 Moratorium was amended to allow the owner of a single rental property in Berkeley to perform an owner move-in eviction.



## Rent Stabilization Board

**DATE:** September 26, 2023

**TO:** Honorable Members of the Eviction/Section 8/Foreclosure Committee

**FROM:** Oliver Ehlinger, Staff Attorney

**SUBJECT:** Summary of Ellis Act Evictions (1986 – June 30, 2023)

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### Background

The origins of the Ellis Act (Gov't Code sections 7060 *et seq.*; “the Act.”) are found in *Nash v. City of Santa Monica* (1984) 37 Cal.3d 97. The plaintiff in *Nash* argued that rent control was a form of indentured servitude, and it was unconstitutional to force him to continue as a landlord by not being able to evict his tenants at will. The California Supreme Court disagreed and found that a city’s interest in maintaining adequate rental housing outweighed a landlord’s interest in demolishing his residential rental property provided the landlord was receiving a fair return on his investment. In 1985, in direct response to the *Nash* decision, the Legislature adopted the Ellis Act which provides that: “[n]o public entity . . . shall . . . compel the owner of any residential real property to offer, or to continue to offer, accommodations in the property for rent or lease.” (Gov’t Code §7060(a).) Thus, the Act gives property owners an absolute right to leave the residential landlord-tenant business. Accordingly, a claim that a landlord is going out of the residential rental business is good cause for eviction. The Ellis Act does not expressly create new or additional rights to change the use of the property after the property owner regains possession of the rental units and, in fact, allows cities to maintain control over most land use issues.

In an attempt to ensure that this right to evict sitting tenants is not abused, the Act authorizes a municipality to place the following constraints on a property that has been removed from the residential rental market. The City Council codified Berkeley’s various restrictions in the Ellis Implementation Ordinance (Berkeley Municipal Code Section 13.77):

- For all tenancies commenced within 5 years of the date of filing of the notice of intent to withdraw accommodations from rent or lease or the date the accommodations were withdrawn from the market, whichever is later, the accommodation must be rented at the lawful rent in effect at the time the notice is filed, plus the annual adjustments granted by the Berkeley Rent Board. (B.M.C. 13.77.040A.)



- If the accommodations are rented within 2 years of being withdrawn from the rental housing market, the owner shall be liable to the displaced tenants for actual and punitive damages. (B.M.C. 13.77.040B.)
- If the accommodations are re-rented within 10 years of the date of withdrawal, the accommodation must first be offered to the displaced tenant(s). (B.M.C. 13.77.040C.)
- In addition, the Condominium Conversion Ordinance prohibits owners from applying to convert the building to condominiums for at least 10 years following the filing of an Ellis notice. (B.M.C. 21.28.060C. and 21.28.090B.)

The Ellis Act and Implementation Ordinance authorize accommodations to be withdrawn from the market following at least 120 days' notice to the tenants. (Gov't Code §7060.4(b). and B.M.C. 13.77.050A.1.) The date of withdrawal is extended to one year for tenants who are disabled or 62 years of age or older, have lived in the unit for at least one year and have timely notified the owner of qualification for this extended notice period. (Gov't Code §7060.4(b). and B.M.C. 13.77.050A.8.)

The Ellis Implementation Ordinance has been revised several times throughout the years to account for changes in state law and to adjust relocation benefits. In the ordinance, the Council initially established relocation benefits of \$4,500, an amount that tracked the original relocation benefits given to low-income tenants who are displaced due to owner move-in evictions. In subsequent years, Council has revised the Ellis Implementation Ordinance to remove the requirement that a household be low-income to receive relocation benefits. These were adjusted by Council in December of 2016 increasing the relocation benefits to \$15,000 per household with an additional \$5,000 available to households that qualify as low-income or include disabled or elderly tenants, minor children, or a household with a tenancy that began prior to January 1, 1999. Commencing in 2018, the relocation benefits now increase in an amount based on the Consumer Price Index.

At the request of the Council and as permitted under City of Berkeley Charter Article XVII Section 123(4), the Rent Board monitored compliance with the Ellis Act from 1986-1991. From 1991 through 1999 the City administered the Ellis Act. The Board resumed monitoring compliance in 2000. The Board counsels landlords and tenants regarding the Ellis Act; receives and reviews all Ellis notices; contacts tenants following receipt of notices; holds the relocation funds in escrow and distributes funds at the appropriate time; files the notice of constraints with the County; and continues to monitor rental occupancy of units that were withdrawn from the rental market on a periodic basis.

Ellis Bill filings in the city have remained fairly low the past few years compared to cities such as San Francisco and Los Angeles which have experienced exponentially greater Ellis Act filings. In 2018 there were six filings totaling twenty-six units, for 2019 there was one filing which has since been rescinded, for year 2020 there were two filings, one of which was rescinded. In 2022, there were five filings, representing seven units, one of which was rescinded

and re-served. This is compared to filings in the early 2000’s which saw 40 filings representing 113 units over a span from 2001 through 2004.

During most of the COVID-19 pandemic, Ellis Act withdrawals were permitted. On September 29, 2022, Council amended the COVID-19 eviction moratorium to prohibit Ellis Act withdrawals. Presumably as a result, the Board did not receive any Ellis requests after that date.

The following data is taken from the Board’s and City’s Ellis Act files:

### **Ellis Bill Filings Since July 1986**

Calendar Year	# of Properties Filed	Total Number of Units	Comments
1986	1	6	
1987	3	7	
1988	2	5	
1989	8	19	
1990	14	52	12 unit bldg
1991	8	18	
1992	6	23	
1993	6	26	12 unit bldg
1994	2	2	
1995	2	4	
1996	2	19	12 unit bldg
1997	4	5	
1998	3	4	
1999	4	7	
2000	2	5	
2001	18	51	
2002	9	24	
2003	8	17	
2004	6	21	
2005	2	3	
2006	7	26	
2007	4	8	
2008	6	11	
2009	2	8	
2010	2	11	
2011	0	0	
2012	0	0	
2013	2	7	
2014	3	10	
2015	6	21	
2016	3	11	
2017	4	13	
2018	5	13	
2019	0	0	

2020	2	6	
2021	5	25	
2022	4	7	
2023*	0	0	
<b>Totals</b>	<b>165</b>	<b>495</b>	

\*Totals through June 30, 2023

## Size of the Buildings Taken off the Market

Number of Units in Bldg	Total Ellis Filings	% of Total Filings
1 Unit	50	30%
2 Units	42	25%
3 Units	20	12%
4 Units	22	13%
5 Units	5	3%
6 Units	12	7%
7 Units	4	2%
8 Units	3	2%
9 Units	1	0.6%
10 Units	0	n/a
11-15 Units	3	2%
16 or More Units	1	.6%

## ELLIS RELOCATION BENEFITS

<b>Berkeley</b>	\$18,011 for all households \$6,003 additional for any household with disabled, elderly, low-income, long-term or tenant with minor child
<b>San Francisco</b>	Up to \$10,000 per tenant (\$30,000 max per household) depending on when filed Add up to \$6,700 for each elderly or disabled tenant
<b>Santa Monica</b>	Studio \$18,250 (\$19,050 for disabled, elderly, family with minor) 1 Bedroom \$25,150 (\$26,850 for disabled, elderly, family with minor) 2+ Bedrooms \$34,950 (\$37,250 for disabled, elderly, family with minor)
<b>West Hollywood</b>	Studio \$7,840 1 Bedroom \$11,070 2 Bedroom \$14,911 3+ Bedrooms \$19,679 Disabled/elderly/terminally ill/moderate income or minor child – \$20,753 Low-income \$26,133